

# MEMO ENDORSED

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October 27, 2021

**BY ECF**

Judge Valerie E. Caproni  
U.S. District Court  
Southern District of New York  
40 foley Square  
N.Y. N.Y. 10007

Re: *U.S. v. Juan Hernandez*  
19 Cr 862 (VEC)

Dear Judge Caproni,

It is hereby requested that the sentencing of Juan Hernandez be adjourned from November 12, 2021 to January 6, 2022 at 12:00 p.m. I have contacted AUSA Adam Hobson, and the Government consents to this request. This is the first application for a sentencing adjournment.

The adjournment is needed to properly prepare for sentencing. The Court has appointed Elizabeth A. Owen, Ph. D., a clinical psychologist to aid counsel by providing a mitigation report in support of our sentencing submission. Counsel spoke to Doctor Owen and she indicates that the time requested is sufficient and that we should have a report by the middle to the later part of December. In addition we have had issues in reviewing the first draft of the PSR with Mr. Hernandez. Although appointments had been scheduled, they had to be rescheduled with MDC. Presently, Mr. Hernandez is quarantined.

Counsel has been in contact with Probation Officer Michelle Millan throughout and we understand she has been given additional time by the court in order to allow time for Mr. Hernandez to review the draft PSR with counsel. My office is in touch with MDC to obtain Mr. Hernandez's clearance for an attorney/client visit and expects to visit him as soon as this is confirmed.

For the foregoing reasons, it is respectfully requested that Mr. Hernandez's sentencing be adjourned from November 12, 2021 until January 6, 2022, at 12:00 p.m. or a time that is available for the Court.

Mr. Juan Hernandez's sentencing, currently scheduled for November 12, 2021 is hereby adjourned to **Tuesday, January 4, 2022 at 11:00 A.M.** The Government and Defense's sentencing submissions deadline is adjourned to **December 22, 2021**. The sentencing will be held in Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

So Ordered:



Judge Valerie E. Caproni  
Date: October 27, 2021

Sincerely,

/s/ Gerald J. Di Chiara